

**MINUTES OF THE
GOVERNMENT RECORDS ACCESS AND MANAGEMENT TASK FORCE**

Tuesday, June 14, 2005 – 1:30 p.m. – Room W020 House Building

Members Present:

Sen. David L. Thomas, Senate Chair
Rep. Douglas C. Aagard, House Chair
Sen. Fred J. Fife
Sen. Mark B. Madsen
Rep. Glenn A. Donnelson
Rep. Carl W. Duckworth
Rep. Craig A. Frank
Rep. Neil A. Hansen
Rep. Ann W. Hardy
Rep. David L. Hogue
Rep. Fred R. Hunsaker

Members Absent:

Sen. Brent H. Goodfellow
Sen. Parley Hellewell
Rep. Carol Spackman Moss

Staff Present:

Mr. Benjamin N. Christensen, Policy Analyst
Mr. Eric N. Weeks, Associate General Counsel
Ms. Cassandra N. Bauman, Legislative Secretary

Note: A list of others present and a copy of related materials can be found at www.leg.utah.gov or by contacting the task force secretary, Cassandra Bauman, at 538-1032. A recording of the meeting is available from the task force secretary.

1. Task Force Business

Chair Thomas called the meeting to order at 1:36 p.m.

Staff distributed "Government Records Access and Management Act: As of May 2, 2005" and "Potential GRAMA and Electronic Messaging Principles."

MOTION: Rep. Donnelson moved to approve the minutes of the May 17, 2005 meeting. The motion passed unanimously with Rep. Hogue absent for the vote.

2. Technology Advances in Communication and the Government Records Access and Management Act (GRAMA)

Mr. Weeks explained the classification system for government records. He indicated that, in determining how a records applies to GRAMA, a few questions must be asked: Is this a record? Does it meet the definition of a record? and How is it classified? Mr. Weeks distributed "Examples of Retention Schedules" and "Balancing Retention and Access of Government Records."

Chair Thomas reviewed "Potential GRAMA and Electronic Messaging Principles." The Task Force discussed issues related to e-mail, voice mail, and instant messaging as they apply to GRAMA. Mr. Weeks and Mr. Christensen responded to questions.

Mr. Gary Ott, Salt Lake County Recorder, briefed the Task Force on the development and treatment of electronic records in his office. He cautioned against having every e-mail governed under GRAMA regulations. He responded to questions.

Ms. Katherine Kinkel, Records Coordinator, Salt Lake County Sheriff's Office, explained the process of retaining public e-mail in her office. She expressed concern for printing electronic documents to comply

with retention under GRAMA, indicating that the purpose for sending particular information via e-mail is to reduce paper. She responded to questions.

Mr. Joel Campbell, Utah Press Association and Society of Professional Journalists, distributed and reviewed "Background on the status of e-mail in state public records laws." He responded to questions and offered his assistance to the Task Force.

Mr. Boyd Ferguson, Salt Lake City Attorney's Office, stated that the best standard for determining whether a document should be governed by GRAMA and retained is found in Section 63-2-102 which specifies records that concern the public business should be kept.

Ms. Christy Henshaw stated that there is a need for a form of recourse for the public when denied a request under GRAMA. She stated that, concerning electronic records, the value of having open information is more important than the logistics of keeping the information.

Ms. Terry Ellis, County Records Manager, Salt Lake County, expressed concern that principle 5 in the handout is too broad and stated that compliance would be burdensome.

The Task Force requested that staff prepare legislation incorporating principles 1, 2, 3, 4, and 6 from the handout for consideration at a future meeting.

3. Other Items / Adjourn

Staff distributed "2005 Preliminary Meeting Schedule." The next meeting is scheduled for Tuesday, July 19, 2005 at 1:30 p.m.

MOTION: Rep. Hunsaker moved to adjourn the meeting. The motion passed unanimously with Rep. Hogue absent for the vote.

Chair Thomas adjourned the meeting at 3:54 p.m.